

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Nochelle Simmons, individually and as parent	)	Civil Action No. 3:18-cv-00274-JMC
and guardian of TP a minor child	)	
Plaintiff,	)	
	)	
v.	)	
	)	<b>ORDER TRANSFERRING CASE TO</b>
Richland County School District One,	)	<b>STATE COURT FOR SETTLEMENT</b>
Michael L. Rice, individually and/or in his	)	<b>APPROVAL</b>
official capacity as an employee of Richland	)	
County School District One	)	
	)	
Defendants.	)	

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The parties in this case have reached a settlement and agree that the Court of Common Pleas for Richland County, South Carolina (the “state court”), should consider their settlement agreement for approval. Under South Carolina’s law, this case may be transferred to the state court for that purpose. S.C. Code Ann. § 15-51-42(D) (2005).

Therefore, the Court TRANSFERS this case to the state court for consideration of the proposed minor settlement agreement and ORDERS that:

1. the parties obtain the state court’s approval of the settlement within ninety (90) days;
2. in the event additional time is required to obtain the state court’s approval, the parties must notify the Court and seek an extension within the ninety (90) day timeframe;
3. if the settlement is not approved or consummated, any party may within ninety (90) days petition the Court to reopen the action and restore it to the docket, as permitted by Federal Rule of Civil Procedure 60(b)(6);
4. this action is hereby DISMISSED without costs and without prejudice;

- a if no action is taken within ninety (90) days from the filing date of this order, dismissal shall be with prejudice;
- b dismissal shall be with prejudice upon approval of the settlement by the state court.

**IT IS SO ORDERED.**

s/J. Michelle Childs  
United States District Judge

Columbia, South Carolina

February 23, 2018